



**POLICY NO:** 2023-01  
**DATE:** March 10, 2023  
**APPROVED BY:** Indiana Arts Commission

## INDIANA ARTS COMMISSION

### ELECTRONIC PARTICIPATION IN PUBLIC MEETINGS POLICY

In accordance with Indiana Code § 5.14-1.5-3.6, Public Meetings (Indiana Open Door Law), the Indiana Arts Commission adopts the following Electronic Participation in Public Meetings Policy:

#### I. CONSIDERATIONS

Section 3.6 of the Open Door Law allows members of a governing body of a state agency, such as the Indiana Arts Commission (“Commission”), to participate in meetings utilizing electronic communication if they are unable to attend physically. The Commission must fulfill all the requirements outlined in Section 3.6, including adopting a policy that permits electronic communication for Commission meetings. This policy helps ensure that all Commission Members (“Commissioners”) can participate and contribute to decision-making, even when they cannot attend in-person meetings.

This Policy applies to all public meetings of the Commission’s governing body (Quarterly Business Meetings and Executive Committee Meetings when Commission-level actions are taken) at which any Commissioner participates electronically.

#### II. POLICY

- A. Meeting Participation Requirements.** At least one-third (1/3) of the members of the Commission must be physically present at the designated meeting site for the Commission Meetings. Commissioners participating in the meeting remotely must be able to communicate simultaneously with those physically in attendance during the meeting. If a technological failure occurs after a meeting ensues, it may continue with the members physically present.
- B. Quorum.** A Commissioner who participates by electronic communication is considered present at the Commission Meeting and shall be counted for the purposes of establishing a quorum.
- C. Voting.** A roll call vote must take all votes of the Commission during the electronic meeting, and the meeting minutes should reflect the platform used for electronic participation. A Commissioner who participates by electronic communication may vote at a Commission Meeting, except on the following matters:
  - i. Adoption of the annual budget; and
  - ii. Reduction in personnel;
- D. Annual Physical Participation.** Each Commissioner is required to physically attend at least one (1) Quarterly Business Meeting annually. Non-participation is subject to review by the appointing authority, the Office of the Governor.
- E. Advance Notice.** A Commissioner should notify their intention to participate in a Commission Meeting by electronic communication at least five (5) business days prior to the meeting.
- F. Publication of Policy.** Under IC § 5-14-1.5-3.6(h), the adopted policy must be publicly available on the Commission's website.

#### III. REVISIONS AND MODIFICATIONS

This Policy shall remain fully enforced unless otherwise amended in accordance with the Open Door Law. To amend this Policy, the Commission must hold a public meeting in compliance with the requirements set forth in IC 5-14-1.5, et seq. This provision ensures that any changes to the Policy will be made in a transparent manner, providing the public with the opportunity to be informed of any modifications to the Policy.

#### IV. REFERENCES

- A. Indiana Code (IC)**
  - i. [IC § 5-14-1.5-3.6 Electronic Communications by certain governing bodies](#)